



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 5**

**230 SOUTH DEARBORN ST.  
CHICAGO, ILLINOIS 60604**

REPLY TO THE ATTENTION OF:

**MAY 31 1990**

David M. Finton  
Ebasco Service, Inc.  
255 Brandenton Avenue  
Suite 150  
Dublin, Ohio 43017

Re: 5HS-11

Dear Mr. Finton:

I have recently been assigned to work on the Great Lakes Asphalt site. In that regard, I have reviewed your affidavit and letter of December 1989 in which you request that your name be removed from the list of Respondents with respect to the Great Lakes Asphalt, Inc. ("GLA") matter, Docket No. V-W-89-C-032. However, in reviewing your affidavit, and your 104(e) information response, several matters are unclear.

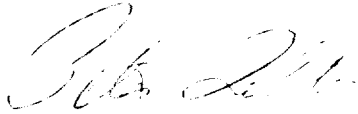
You state in your affidavit that the storage tanks leased from GLA pursuant to the July 26, 1979 lease, referred to as Exhibit 1 in your affidavit, were emptied sometime prior to October 19, 1981. However, you provide no evidence to prove this. On what do you base this statement, your personal knowledge in ordering the storage tanks be emptied, your observing it being done, or from being told by some other person, and if so whom? Further, you stated in your 104(e) response that the material at GLA came from all of Enviro Chem Corporation customers. Is this statement referring to the material sent to GLA pursuant to the first lease, the second lease or both. Further, in response to the 104(e) information request, you did not provide an address for Mr. Wessell or Mr. Waston so that certain information could be verified.

Lastly, you state that the material that was put in the bulk storage tanks at GLA, at least pursuant to the first lease, was for storage of processed fuels destined for use as auxiliary fuel at cement kilns. Was this also true for the second lease? Was the same type of material used to produce the processed fuel in 1979 and 1982? What material was combined or used to make the processed fuel?

Though I can guess at the answers to some of these questions from your affidavit, I can not be sure, and further, some of the concerns are not addressed. Therefore, I would request that you provide me with the answers to the questions listed above. If

you prefer, I can send a formal 104(e) information request, and will do so if I do not hear from you. If you have any questions, please feel free to contact me at (312) 886-7157. I also can be reached at the same address as you used from Brett Warning. Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Peter M. Felitti".

Peter M. Felitti  
Assistant Regional Counsel